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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9969

SUSPENSION OF EIGHT-HOUR LAW AS TO WORK BY THE ALASKA RAILROAD, DEPARTMENT OF THE INTERIOR

WHEREAS the Alaska Railroad is the only means by which substantial quantities of vitally needed materials and supplies can be transported to interior points in the Territory of Alaska; and

WHEREAS the protection of our national security through the maintenance of military posts in Alaska is dependent upon the transportation by the Railroad of vitally needed materiel, supplies, and equipment for our armed forces; and

WHEREAS the essential services performed by the Railroad in the transportation of freight and passenger traffic are also of critical importance to the citizens of Alaska and to its economic development; and

WHEREAS as a result of the tremendous burden of traffic transported by the Railroad during the war years immediate and extensive rehabilitation of track and roadway facilities is necessary for the safe and continued operation of the Railroad; and

WHEREAS climatic conditions within Alaska preclude such rehabilitation except during the short outdoor working season; and

WHEREAS it is essential to the fullest and most effective utilization of such limited period that laborers and mechanics employed by the Railroad be permitted to work in excess of eight hours a day; and

WHEREAS by section 1 of the act of August 1, 1892, 27 Stat. 340, as amended by the act of March 3, 1913, 37 Stat. 726 (40 U. S. C. 321), the service of all laborers and mechanics employed by the Government of the United States upon any public work of the United States is limited to eight hours in any one calendar day except in case of extraordinary emergency; and

WHEREAS I find that by reason of the foregoing an extraordinary emergency exists:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said act of August 1, 1892, as amended by the said act of March 3, 1913, and as President of the United States, I hereby suspend for a period of five months, effective immediately, the above-mentioned provisions of law prohibiting more than eight hours of labor in any one day by laborers and mechanics employed by the Government of the United States as to all work performed by laborers and mechanics employed by the Alaska Railroad, Department of the Interior, on any public work within the Territory of Alaska with respect to which the Secretary of the Interior shall find such suspension to be essential to the accomplishment of the purposes of this order: *Provided*, that the wages of all laborers and mechanics so employed by the Alaska Railroad shall be based on an administrative workwork of forty hours with overtime to be paid at time and one-half for all hours of work in excess of forty hours in any such administrative workweek.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 19, 1948.

[F. R. Doc. 48-5626; Filed, June 21, 1948; 10:48 a. m.]

EXECUTIVE ORDER 9970

CREATING A BOARD OF INQUIRY TO REPORT ON A LABOR DISPUTE AFFECTING THE BITUMINOUS COAL INDUSTRY OF THE UNITED STATES

WHEREAS there exists a labor dispute, other than that referred to in Executive Order No. 9939 of March 23, 1948, entitled "Creating a Board of Inquiry to Report on a Labor Dispute Affecting the Bituminous Coal Industry of the United States," between coal operators and associations signatory to the National Bituminous Coal Wage Agreement of 1947 and certain of their employees represented by the International Union, United Mine Workers of America, also signatory to the said agreement, involving wages and terms and conditions of employment; and

WHEREAS in my opinion such dispute threatens to result in a strike or lockout affecting a substantial part of the bituminous coal industry, an industry engaged in trade and commerce among the several states and with foreign nations, and in the production of goods for commerce, which strike or lockout, if permitted to occur or to continue, will imperil the national health and safety:

NOW, THEREFORE, by virtue of the authority vested in me by section 206 of

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

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the Labor Management Relations Act, 1947 (Public Law 101, 80th Congress), I hereby create a Board of Inquiry, consisting of such members as I shall appoint, to inquire into the issues involved in such dispute.

The Board shall have powers and duties as set forth in Title II of the said Act. The Board shall report to the President in accordance with provisions of section 206 of the said Act on or before June 23, 1948.

Upon submission of its report, the Board shall continue in existence to perform such other functions as may be required under the said Act, until the Board is terminated by the President.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 19, 1948.

[F. R. Doc. 48-5627; Filed, June 21, 1948; 10:49 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

LISTS OF POSITIONS EXCEPTED

Under authority of § 6.1 (a) of Executive Order No. 9830, and at the request of the Department of the Air Force, the Commission has determined that the positions listed below should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) (46) is amended by the addition of a subdivision as follows:

§ 6.4 *Lists of positions excepted from the competitive service*—(a) *Schedule A.*
* * *

(46) *Department of the Air Force.*
* * *

(iii) Until December 31, 1949, in order to provide civilian personnel complementary to military personnel, 20 Special Agent positions in the Office of Special Investigations, Office of the Inspector General, Headquarters, and 75 Special Agent positions in district offices of the Office of Special Investigations, U. S. Air Force, in grades CAF-11 or higher.

(Sec. 6.1 (a) E. O. 9830, Feb. 24, 1947, (12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-5570; Filed, June 21, 1948; 8:55 a. m.]

PART 25—FEDERAL EMPLOYEES PAY REGULATIONS

WAR TRANSFER

Section 25.225 is amended to read as follows:

§ 25.225 *War transfer.* "War transfer" means any transfer authorized by the Commission under Executive Order Nos. 8973 of December 12, 1941, or 9067 of February 20, 1942, War Manpower Commission Directive No. X, or War Service Regulation IX, under conditions entitling the employee to reemployment in his former position or a position of like seniority, status, and pay; civilian employment in occupied countries subject to the provisions of Executive Order No. 9711 of April 11, 1946; employment with public international organizations subject to the provisions of Executive Order No. 9721 of May 10, 1946, and Executive Order 9862 of May 31, 1947; or employment of certain Foreign Service Officers or employees subject to the provisions of Executive Order 9932, February 27, 1948. (Sec. 605, 59 Stat. 304; 5 U. S. C. 945)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-5532; Filed, June 21, 1948; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Plum Order 5]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.331 *Plum Order 5*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Tragedy plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notices and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period bebinning at 12:01 a. m., California d. s. t., June 23, 1948, and ending at 12:01 a. m., California d. s. t., October 1, 1948, no shipper shall ship:

(i) Any package or container of Tragedy plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh), 12 F. R. 2305, 13 F. R. 2423) with a total tolerance of twenty-five (25) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Tragedy plums containing plums of a size smaller than a size that will pack a 6 x 6 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 6 x 6 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 6 x 6 standard pack is defined more specifically as follows: (1) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1$^{5}/_{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1$^{5}/_{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than 1$^{1}/_{16}$ inches in diameter.

(3) Each shipper, prior to making each shipment of Tragedy plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Tragedy plums contained in each such lot or shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Notwithstanding the provisions contained in subparagraphs (3) and (5) of this paragraph, any shipper may ship each day into or in either the San Francisco-Sacramento region or the Los Angeles region or through either of the aforesaid regions from a point in the State of California to another point in the State of California a single shipment of plums aggregating not more than 900 pounds, net weight, of Tragedy plums and of all other varieties of plums with respect to which any grade or size regulation, issued pursuant to the amended marketing agreement and order, is in effect, without having the Tragedy plums included in such shipment inspected by the aforesaid Federal-State Inspection Service: *Provided,* That such shipper shall comply with all grade and size regulations applicable to the shipment of such Tragedy plums, and: *Provided, further,* That, such shipper submits or causes to be submitted promptly to the Plum Commodity Committee a report, with respect to each such shipment, setting forth the quantity of the Tragedy plums so shipped.

(5) The determination (12 F. R. 3059) in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(6) The term "shipper," "ship," "shipping," "shipping point,' and "shipment," shall have the same meaning as when used in the amended marketing agreement and order; the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards; and the terms "San Francsico-Sacramento region" and "Los Angeles region" shall have the same meaning as when used in § 936.301. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 936.1 et seq.).

Done at Washington, D. C., this 18th day of June 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-5602; Filed, June 21, 1948; 9:44 a. m.]

[Plum Order 6]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.332 *Plum Order 6*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Gaviota plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., California d. s. t., June 23, 1948, and ending at 12:01 a. m., California d. s. t., October 11, 1948, no shipper shall ship:

(i) Any package or container of Gaviota plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh) (12 F. R. 2305, 13 F. R. 2423) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Gaviota plums containing plums of a size smaller than a size that will pack a 4 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than $1\frac{11}{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than $1\frac{7}{16}$ inches in diameter.

(3) Each shipper, prior to making each shipment of Gaviota plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Gaviota plums contained in each such lot or shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Notwithstanding the provisions contained in subparagraphs (3) and (5) of this paragraph, any shipper may ship each day into or in either the San Francisco-Sacramento region or the Los Angeles region or through either of the aforesaid regions from a point in the State of California to another point in the State of California a single shipment of plums aggregating not more than 900 pounds, net weight, of Gaviota plums and of all other varieties of plums with respect to which any grade or size regulation, issued pursuant to the amended marketing agreement and order, is in effect, without having the Gaviota plums included in such shipment inspected by the aforesaid Federal-State Inspection Service: *Provided,* That such shipper shall comply with all grade and size regulations applicable to the shipment of such Gaviota plums, and: *Provided, further,* That, such shipper submits or causes to be submitted promptly to the Plum Commodity Committee a report, with respect to each such shipment, setting forth the quantity of the Gaviota plums so shipped.

(5) The determination (12 F. R. 3059) in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(6) The terms "shipper," "ship," "shipping," "shipping point," and "shipment," shall have the same meaning as

when used in the amended marketing agreement and order; the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards; and the terms "San Francisco-Sacramento region" and "Los Angeles region" shall have the same meaning as when used in § 936.301. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 18th day of June 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-5606; Filed, June 21, 1948; 9:45 a. m.]

[Plum Order 7]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.333 *Plum Order 7*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Wickson plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., California d. s. t., June 23, 1948, and ending at 12:01 a. m., California d. s. t., October 11, 1948, no shipper shall ship:

(i) Any package or container of Wickson plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh), 12 F. R. 2305, 13 F. R. 2423) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Wickson plums containing plums of a size smaller than a size that will pack a 4 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than $1^{11}/_{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1^{9}/_{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than $1^{7}/_{16}$ inches in diameter.

(3) Each shipper, prior to making each shipment of Wickson plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Wickson plums contained in each such lot or shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Notwithstanding the provisions contained in subparagraphs (3) and (5) of this paragraph, any shipper may ship each day into or in either the San Francisco-Sacramento region or the Los Angeles region or through either of the aforesaid regions from a point in the State of California to another point in the State of California a single shipment of plums aggregating not more than 900 pounds, net weight, of Wickson plums and of all other varieties of plums with respect to which any grade or size regulation, issued pursuant to the amended marketing agreement and order, is in effect, without having the Wickson plums included in such shipment inspected by the aforesaid Federal-State Inspection Service: *Provided,* That such shipper shall comply with all grade and size regulations applicable to the shipment of such Wickson plums, and: *Provided, further,* That, such shipper submits or causes to be submitted promptly to the Plum Commodity Committee a report, with respect to each such shipment, setting forth the quantity of the Wickson plums so shipped.

(5) The determination (12 F. R. 3059) in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(6) The terms "shipper," "ship," "shipping," "shipping point," and "shipment," shall have the same meaning as when used in the amended marketing agreement and order; the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards; and the terms "San Francisco-Sacramento region" and "Los Angeles region" shall have the same meaning as when used in § 936.301. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 938.1 et seq.)

Done at Washington, D. C., this 18th day of June 1948

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-5605; Filed, June 21, 1948; 9:45 a. m.]

[Plum Order 8]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.334 *Plum Order 8*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Eldorado plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure re-

quirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., California d. s. t., June 23, 1948, and ending at 12:01 a. m., California d. s. t., October 11, 1948, no shipper shall ship:

(i) Any package or container of Eldorado plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh), 12 F. R. 2305, 13 F. R. 2423) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards; or

(ii) Any package or container of Eldorao plums containing plums of a size smaller than a size that will pack a 5 x 5 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 5 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than 1$^{9}/_{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than 1$^{7}/_{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than 1$^{5}/_{16}$ inches in diameter.

(3) Each shipper, prior to making each shipment of Eldorado plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Eldorado plums contained in each such lot or shipment: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Notwithstanding the provisions contained in subparagraphs (3) and (5) of this paragraph, any shipper may ship each day into or in either the San Francisco-Sacramento region or the Los Angeles region or through either of the aforesaid regions from a point in the State of California to another point in the State of California a single shipment of plums aggregating not more than 900 pounds, net weight, of Eldorado plums and of all other varieties of plums with respect to which any grade or size regulation, issued pursuant to the amended marketing agreement and order, is in effect, without having the Eldorado plums included in such shipment inspected by the aforesaid Federal-State Inspection Service: *Provided,* That such shipper shall comply with all grade and size regulations applicable to the shipment of such Eldorado plums, and: *Provided, further,* That, such shipper submits or causes to be submitted promptly to the Plum Commodity Committee a report, with respect to each such shipment, setting forth the quantity of the Eldorado plums so shipped.

(5) The determination (12 F. R. 3059) in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(6) The terms "shipper," "ship," "shipping," "shipping point," and "shipment," shall have the same meaning as when used in the amended marketing agreement and order; the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards; and the terms "San Francisco-Sacramento region" and "Los Angeles region" shall have the same meaning as when used in § 936.301. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 7 CFR Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 18th day of June 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-5604; Filed, June 21, 1948; 9:44 a. m.]

[Plum Order 9]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES

§ 936.335 *Plum Order 9*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the Amador, Apex, California Blue, Earliana, Emily, Improved Satsuma, Satsuma, Shiro, Splendor, and Standard varieties (hereinafter referred to as "miscellaneous varieties of plums"), as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., California d. s. t., June 23, 1948, and ending at 12:01 a. m., California d. s. t., October 1, 1948, no shipper shall ship:

(i) Any package or container of miscellaneous varieties of plums containing plums which do not meet the requirements of U. S. No. 1 grade (as specified for such grade in the United States Standards for plums and prunes (fresh), 12 F. R. 2305, 13 F. R. 2423) with a total tolerance of ten (10) percent for defects not considered serious damage, in addition to the usual tolerances permitted in said United States Standards.

(2) Each shipper, prior to making each shipment of miscellaneous varieties of plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades of the miscellaneous varieties of plums contained in each such lot or shipment: *Provided,* That, in case the following

conditions exist in connection with any such shipment;

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade regulations applicable to such shipment.

(3) Notwithstanding the provisions contained in subparagraphs (2) and (4) of this paragraph, any shipper may ship each day into or in either the San Francisco-Sacramento region or the Los Angeles region or through either of the aforesaid regions from a point in the State of California to another point in the State of California a single shipment of plums aggregating not more than 900 pounds, net weight, of miscellaneous varieties of plums and of all other varieties of plums with respect to which any grade or size regulation, issued pursuant to the amended marketing agreement and order, is in effect, without having the miscellaneous varieties of plums included in such shipment inspected by the aforesaid Federal-State Inspection Service: *Provided*, That such shipper shall comply with all grade regulations applicable to the shipment of such miscellaneous varieties of plums, and: *Provided, further*, That such shipper submits or causes to be submitted promptly to the Plum Commodity Committee a report, with respect to each such shipment, setting forth the quantity of the miscellaneous varieties of plums so shipped.

(4) The determination (12 F. R. 3059) in § 936.301 with respect to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region shall be applicable to this section.

(5) The terms "shipper," "ship," "shipping," "shipping point," and "shipment," shall have the same meaning as when used in the amended marketing agreement and order; the term "serious damage" shall have the same meaning as set forth in the aforesaid United States Standards; and the terms "San Francisco-Sacramento region" and "Los Angeles region" shall have the same meaning as when used in § 936.301. (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 18th day of June 1948.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-5603; Filed, June 21, 1948; 9:44 a. m.]

TITLE 11—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

[Circular 4]

PART 60—DOMESTIC URANIUM PROGRAM

TEMPORARY ADDITIONAL ALLOWANCES, COLORADO PLATEAU AREA CARNOTITE-TYPE AND ROSCOELITE-TYPE ORES

§ 60.4 *Temporary additional allowances, Colorado Plateau area carnotite-type and roscoelite-type ores*—(a) *Additional allowances.* In addition to the guaranteed minimum prices specified in § 60.3 (Circular No. 3) issued April 9, 1948, the relevant terms and conditions of which are hereby incorporated in this section by reference, the Commission will pay the allowances specified in paragraph (b) of this section in connection with the delivery of carnotite-type or roscoelite-type uranium-bearing ores at the Commission's established purchase depots in the Colorado Plateau area.

(b) *Allowances specified.* The following allowances are specified:

(1) A haulage allowance of 6¢ per ton mile for transportation of ore from the mine where produced to the purchase depot specified by the Commission, up to a maximum of 100 miles. The haulage distance from the mine to the purchase depot will be determined by the Commission and its decision will be final.

(2) An allowance of 50¢ per pound for uranium oxide (U_3O_8) contained in ores assaying 0.20% or more U_3O_8, in addition to the development allowance provided for in Schedule I of § 60.3.

(c) *Inquiries.* All inquiries concerning the provisions of this section, offers to deliver ores, or questions about the Commission's uranium program in the Colorado Plateau area should be addressed to:

United States Atomic Energy Commission,
Post Office Box 270,
Grand Junction, Colorado,
Telephone: Grand Junction 3000.

(d) *Effective date.* The allowances provided for in this section will become effective June 1, 1948 and will be in effect until July 1, 1949, and shall, during this period, constitute guaranteed minimum prices in addition to those specified in § 60.3. (Sec. 5 (b), 60 Stat. 761)

Dated at Washington, D. C., this 15th day of June 1948.

By order of the Commission.

CARROLL L. WILSON,
General Manager.

[F. R. Doc. 48-5526; Filed, June 21, 1948; 8:47 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Veterans' Preference Regulation, as Amended April 1, 1948, Amdt. 1]

PART 813—VETERANS' PREFERENCE REGULATION UNDER HOUSING AND RENT ACT OF 1947, AS AMENDED

1. A new paragraph (i) is hereby added to § 813.1 (the Veterans' Preference Regulation) to read as follows:

(i) *Disaster.* Until further notice, the provisions of this section (the Veterans' Preference Regulation) requiring that preference be given to veterans of World War II or their families in the sale or renting of housing accommodations are hereby waived with respect to any housing accommodations in the Columbia River Basin, the construction of which is completed after June 30, 1947, and prior to April 1, 1949, if such housing accommodations are rented or sold to persons rendered homeless in the flooded areas of the Columbia River Basin as a result of the flood which commenced on or about May 24, 1948.

2. Former paragraph (i) of § 813.1 is hereby redesignated (j).

(Pub. Law 129, 80th Cong.; P. L. 422, 80th Cong.; Housing and Rent Act of 1948)

Issued this 21st day of June 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-5609; Filed, June 21, 1948; 9:51 a. m.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

LEASES MADE UNDER SECTION 204 (b) OF THE HOUSING AND RENT ACT OF 1947, AS AMENDED

The following is an interpretation of section 4 (b) of the Controlled Housing Rent Regulations, as amended (§§ 825.1, 825.2, 825.3, 825.4[1]); the Rent Regulations for Controlled Rooms in Rooming Houses and Other Establishments, as amended (§§ 825.5, 825.6, 825.7[2]), and section 204 (b) of the Housing and Rent Act of 1947, as amended:

The Housing and Rent Act of 1947, as amended, provides in section 204 (b) that where a 1947 or 1948 lease is entered into in accordance with the provisions of that section, the housing accommodations covered by such lease shall not be subject, unless such lease is terminated on or after April 1, 1948, to any maximum rent established, or maintained, under the provisions of the act. This is a limited form of decontrol and means that while such lease continues in effect the rental agreement between the lessor and lessee is decontrolled as to the particular housing accommodations covered by the lease. Therefore, a subletting of a part or all of the leased premises by the tenant named in the lease is subject to the rent regulations, unless the subletting is in the form of a lease conforming to the requirements of section 204 (b) of the act.

For example: L leased an unfurnished house to T in accordance with section 204 (b) of the act on September 1, 1947, for the maximum rent of $50 per month, plus 15 percent of such maximum rent, the lease to expire on December 31, 1948. T, on December 1, 1947 sublet to S the entire unfur-

[1] Appear in 24 CFR, 1947 Supp., as §§ 825.1 to 825.72, inclusive.

[2] Appear in 24 CFR, 1947 Supp., as §§ 825.81 to 825.132, inclusive.

nished housing accommodations on a month-to-month basis. Although the renting from L to T remains free from control unless and until the lease is terminated on or after April 1, 1948, the subrenting between T and S remains subject to the rent regulations because that rental does not comply with the requirements of section 204 (b). The maximum rent between T and S is $57.50 per month for the unfurnished housing accommodations. If T and S entered into a lease under section 204 (b) of the act the rent in such lease could be no more than $57.50. If T added furniture to the accommodations, and no 204 (b) lease has been entered into with S, he could obtain an adjustment for the difference in rental value of the furniture under section 5 (a) (3) of the rent regulation.

Where a 1947 lease was terminated prior to April 1, 1948, the housing accommodations covered by the lease are decontrolled, but, also, in a limited sense only. The Housing Expediter may not establish a maximum rent for the particular accommodation covered by the lease. A rental of any part of the leased accommodations for which a maximum rent was in effect at the time of the execution of the lease continues subject to the rent regulations.

Example 1: L leased a house to T on August 1, 1947 in accordance with section 204 (b) of the act, which lease expires on December 31, 1948. On January 15, 1948, the lease was terminated by mutual agreement and since no maximum rent had been established for any portion of the accommodation, the house is decontrolled, and L or any subsequent owner could rent the whole or any part of the house free from control.

Example 2: L leased a two-family house to T on August 1, 1947 in accordance with section 204 (b) of the act, which lease expires on December 31, 1948. At the time of the execution of the lease, the maximum rent for the entire structure was $100 a month and the maximum rent for each apartment was $55 a month. On January 15, 1948, the lease between L and T was terminated. A rental of the entire structure would thereafter be free from control, whereas the rental of either apartment would remain subject to control.

Where a 1947 or a 1948 lease is terminated on or after April 1, 1948, the renting of the housing accommodation covered by the lease is subject to the regulations.

The termination of a lease under the Housing and Rent Act of 1947, as amended, includes a modification of the lease, even though the modification may not effect a termination of the lease at local law. That is to say that so far as the federal law is concerned the premises are no longer subject to a Federal Statutory Lease, although the modified lease may remain in effect under State law.

For example: L entered into a lease on December 1, 1947, for the maximum rent of $50 per month, plus an increase of 15 percent of such maximum rent, with an expiration date of December 31, 1948, and filed said lease with the area rent office within 15 days of the date of its execution, and on May 1, 1948, L and T modified the lease by a mutual agreement under which L installed an electric refrigerator to replace the ice-box for an additional rental of $5 per month. The lease would be deemed terminated under the Housing and Rent Act of 1947, as amended, because of this modification, although the modified lease might remain in effect under State law. The housing accommodations would, therefore, be recontrolled and the maximum rent would be $57.50.[1] The landlord may petition for an increase in the maximum rent because of the installation of the refrigerator.

Assume the modification to have been prior to April 1, 1948. The housing accommodation leased in the above example would not be recontrolled on or after April 1, 1948. The entire housing accommodation would remain free from control and L, or any subsequent owner, would be permitted to rent the whole accommodation, or any part of the accommodation for which there was no controlled rent, free from control. If on May 1, 1948, the individual rooms in the house are rented for the first time, the rental of such rooms is not controlled.

Issued this 21st day of June 1948.

ED DUPREE,
General Counsel.

[F. R. Doc. 48-5608; Filed, June 21, 1948; 9:51 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

PART 204—DANGER ZONE REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.265 governing the operation of the Maryland State Roads Commission bridge across Marshyhope Creek at Brookview, Maryland, and § 203.378 governing the operation of the Seaboard Air Line Railway Company bridge across Edisto River near Fenwick, South Carolina, are hereby revoked, and § 203.241 (f) is hereby amended by the addition thereto of subparagraphs relating to the aforesaid bridges, to the Atlantic Coast Line Railroad Company bridge across Palm River (Sixmile Creek), a tributary of McKay Bay near Tampa, Florida, and to the Louisiana Department of Highways bridges across Bayou Teche at Ruth and at Breaux Bridge, Louisiana, as follows:

§ 203.241 *Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.* * * *

(f) The bridges to which this section applies, and the advance notice required in each case, are as follows:

* * * * *

Marshyhope Creek, Md.; Maryland State Roads Commission bridge at Brookview, Md. (Between sunrise and sunset, at least six hours' advance notice required. Between sunset and sunrise the draw need not be opened for the passage of vessels.)

* * * * *

Edisto River, S. C.; Seaboard Air Line Railway Company bridge near Fenwick, S. C. (At least 24 hours' advance notice required.)

* * * * *

Palm River (Sixmile Creek), a tributary of McKay Bay near Tampa, Fla.; Atlantic Coast Line Railroad Company bridge about one mile above mouth. (At least 12 hours' advance notice required. When such notice is given, the owner of, or agency controlling, the bridge shall keep a draw tender in constant attendance for a period of one hour beginning at the time of high tide at reference station Tampa, as published by the United States Coast and Geodetic Survey, occurring at any time between sunrise and sunset at north latitude 28°, as published by the United States Hydrographic Office. When a draw tender is in attendance at the bridge during such period, the bridge shall be opened for any vessel desiring passage whether or not it has given advance notice.)

* * * * *

Bayou Teche, La.; Louisiana Department of Highways bridges at Ruth and at Breaux Bridge, La. (At least 48 hours' advance notice required.)

* * * * *

[Regs. May 27, 1948, CE 823.01–ENGWR] (28 Stat. 362; 33 U. S. C. 499)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), § 204.85c is hereby prescribed to govern the use and navigation of waters of the Straits of Florida and Florida Bay in the vicinity of Key West, Florida, comprising restricted areas for operations of the Naval Air Station, Key West, as follows:

§ 204.85c *Straits of Florida and Florida Bay in vicinity of Key West, Fla.; operational training area, aerial gunnery range, and bombing and strafing target areas, Naval Air Station, Key West, Fla.*—(a) *The danger zones*—(1) *Operational training area.* Waters of the Straits of Florida southwest of Key West bounded as follows: Beginning at latitude 24°18'00", longitude 82°09'30"; thence south-southwest to latitude 23°30'30", longitude 82°31'30"; thence generally northwest by north, along an arc of a circle having its center at latitude 24°35'00", longitude 81°41'15", to latitude 24°18'00", longitude 83°06'30"; thence due east to the point of beginning. This area will be used for bombing, torpedo, and air-to-air combat or other special exercises.

(2) *Aerial gunnery range.* Waters in the vicinity of Florida Bay, northeast of Key West bounded as follows: Beginning at latitude 25°30'00", longitude 81°22'00"; thence south to latitude 25°01'45", longitude 81°20'30"; thence southwest to latitude 24°51'15", longitude 81°42'50"; thence north to latitude 25°42'00", longitude 81°46'00"; thence southeast to the point of beginning. This area will be used for air-to-air gunnery or other exercises.

(3) *Bombing and strafing target areas.* (i) A circular area immediately west of Marquesas Keys with a radius of two and one-half statute miles having its center at latitude 24°34'30", longitude 82°14'00". The target located within

[1] By regulation, upon termination of a 1947 lease on or after April 1, 1948, the maximum rent is the rent provided in the lease or the maximum rent which would have been in effect on March 30, 1948 in the absence of a lease, whichever is higher.

this area, a grounded LCI, will be used for air-to-ground gunnery exercises.

(ii) A circular area immediately north of Marquesas Keys with a radius of two nautical miles having its center at latitude 24°38'20", longitude 82°06'25". The target located within this area, a grounded eagle boat, will be used for bombing exercises using water-filled bombs only.

(iii) A rectangular area immediately northeast of Key West bounded as follows: Beginning at latitude 24°40'14", longitude 81°35'12"; thence to latitude 24°38'25", longitude 81°34'38"; thence to latitude 24°37'10", longitude 81°38'46"; thence to latitude 24°38'50", longitude 81°39'23"; thence to the point of beginning. This area, an aircraft rocket range, will be used for air-to-ground rocket firing exercises.

(b) *The regulations.* (1) In advance of scheduled air or surface operations which, in the opinion of the enforcing agency, may be dangerous to watercraft, appropriate warnings will be issued to navigation interests through official government and civilian channels or in such other manner as the District Engineer, Corps of Engineers, Jacksonville, Florida, may direct. Such warnings will specify the location, type, time, and duration of operations, give such other pertinent information as may be required in the interests of safety, and state whether watercraft will be excluded from the zone of operations which is defined as that portion of a danger zone within which watercraft might be endangered by the operations in progress.

(2) Watercraft shall not be prohibited from passing through a danger zone except when the operations being conducted are of such a nature that the exclusion of watercraft from the zone of operations is required in the interests of safety or for accomplishment of the mission, or is considered important to the national security.

(3) When the warning to navigation interests states that watercraft will be excluded from the zone of operations, no vessel shall enter or remain in such area during the period the operations are in progress.

(4) Aircraft and naval vessels conducting operations in a danger zone will exercise caution in order not to endanger watercraft. Operations which may be dangerous to watercraft will not be conducted without first ascertaining that the zone of operations is clear. Any vessel in the zone of operations will be warned to leave, and upon being so warned the vessel shall leave the zone of operations immediately.

(5) The regulations in this section shall be enforced by the Commandant, Seventh Naval District, Jacksonville, Florida, and such agencies as he may designate.

[Regs. June 1, 1948, CE 800.2121 (Florida Straits)—ENGWR] (40 Stat. 266; 33 U. S. C. 1)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-5531; Filed, June 21, 1948; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 485]

FLORIDA

REVOKING EXECUTIVE ORDER NO. 4014 OF MAY 22, 1924

By virtue of the authority contained in the act of June 25, 1910, 36 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497 (43 U. S. C. 141–143), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 4014 of May 22, 1924, withdrawing the unappropriated lands in the following-described areas in aid of legislation, is hereby revoked:

TALLAHASSEE MERIDIAN

T. 2 S., R. 17 W.,
Secs. 30, 31, and 32.
T. 3 S., R. 18 W.,
Secs. 25 and 36.

The areas described, including both public and nonpublic lands, aggregate 2,498.42 acres.

The public lands in the above-described areas will be made subject to disposition by the Director of the Bureau of Land Management under the appropriate public-land laws pursuant to an order to be published simultaneously herewith. Such order will provide for the preference rights to which veterans of World War II are entitled under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–283).

Applications for lots 7, 8, 10, and 11, sec. 31, T. 2 S., R. 17 W., have been filed under the Color-of-Title Act of December 22, 1928, 45 Stat. 1069 (43 U. S. C. 1068, 1068a).

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

JUNE 9, 1948.

[F. R. Doc. 48-5573; Filed, June 21, 1948; 9:45 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

[CGFR 48-5]

MARINE ENGINEERING AND MATERIAL SPECIFICATIONS FOR MERCHANT VESSELS

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, 4427, 4429, 4430, 4431, 4432, 4433, 4434, 4453, 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended (46 U. S. C. 363, 366, 367, 375, 391a, 392, 404, 405, 407, 408, 409, 410, 411, 412, 435, 1333, 50 U. S. C. 1275), and sec. 101 of Reorganization Plan No. 3 of 1946 (11 F. R. 7875), the following corrections shall be made and the following omissions shall be inserted in Coast Guard document CGFR 48-5, Federal Register document 48-2817, filed March 30, 1948, and published in the FEDERAL REGISTER dated March 31, 1948, 13 F. R. 1668, et seq.:

Subchapter F—Marine Engineering

PART 55—PIPING SYSTEMS

SUBPART 55.07—DETAILED REQUIREMENTS

Section 55.07–15 is corrected by changing the description for Figure 55.07–15 (f7) (13 F. R. 1736) to read as follows:

§ 55.07–15 *Joints and flange connections.* * * *

(f) * * *

Figure 55.07–15 (f7). Pipe may be attached to high hub flanges with screwed threads where the end of the pipe and the bore of the flange are machined to a snug fit and the hub screwed and welded to the pipe as shown by Figure 55.07–15 (f7).

PART 56—ARC WELDING, GAS WELDING, AND BRAZING

SUBPART 56.01—ARC WELDING AND GAS WELDING

The text of the regulations in 46 CFR 56.20–10 (g) was inadvertently omitted from the material published in Part 56 on March 31, 1948, and, therefore, Part 56 is amended by adding § 56.01–57 to follow 56.01–55, reading as follows:

§ 56.01–57 *Unreinforced holes in welded joints.* (a) Unreinforced holes may be machine-cut through welded seams which have been stress-relieved and radiographed. The joint efficiency as well as the ligament efficiency shall be considered in calculating the required thickness.

(b) Tubes may be rolled and expanded in such unreinforced holes, or such holes may be threaded: *Provided,* That in the portion of the welded joint in which the holes are cut the following additional requirements are fulfilled:

(1) The welds shall be examined by the paramagnetic powder method on both sides and found to be satisfactory.

(2) The weld shall contain no slag inclusion or defect longer than 0.15T (where T is the thickness of the weld), but in no case greater than ⅜ inch.

(c) If either or both paragraphs (b) (1) and (b) (2) of this section are not complied with, the unreinforced holes for threaded connections or for rolled or expanded tubes may not be placed closer than ¼ inch to the edge of the fused metal, and no deduction need be made in the maximum allowable pressure computed for the same tube layout without a circumferential weld.

(R. S. 4405, 4417a, 4418, 4426, 4427, 4429–4434, 4453, 4491, sec. 14, 29 Stat. 690, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 346, sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 363, 366, 367, 375, 391a, 392, 404, 405, 407–412, 435, 1333, 50 U. S. C. 1275; sec. 101, Reorg. Plan of 1946, 11 F. R. 7875)

Dated: June 15, 1948.

[SEAL] MERLIN O'NEILL,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 48-5538; Filed, June 21, 1948; 8:49 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service; Department of the Interior

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

FISHING IN HAGERMAN NATIONAL WILDLIFE REFUGE, TEXAS

Basis and purposes. On the basis of observations and reports of field representatives of the Fish and Wildlife Service it has been determined that fishing, both sport and commercial, can be permitted during a part of the year on the waters of the refuge without interfering with the protection of waterfowl. In order to assure adequate protection for the waterfowl during the periods of waterfowl concentrations, which vary from year to year, it is desirable and necessary to grant authority to the refuge manager to impose such restrictions on fishing as he deems necessary.

§ 23.385 *Hagerman National Wildlife Refuge, Texas; commercial fishing* Commercial fishing in accordance with the State Laws of Texas is permitted on all waters within the Hagerman National Wildlife Refuge in accordance with the following provisions:

Entry on and use of this refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F. R. 5284), as amended, and strict compliance therewith is required. All fisherman must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. In addition thereto each person fishing commercially on the refuge must possess a permit issued by the officer in charge prior to exercising the commercial fishing privileges permitted hereunder.

During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

§ 23.385a *Hagerman National Wildlife Refuge, Texas; noncommercial fishing.* Noncommercial fishing in accordance with the State Laws of Texas is permitted on all waters within the Hagerman National Wildlife Refuge in accordance with the following provisions:

Entry on and use of this refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F. R. 5284), as amended, and strict compliance therewith is required. All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

(49 Stat. 98, 45 Stat. 1222; 18 U. S. C. 145, 16 U. S. C. 715i; Reorg. Plan No. III of 1939, 3 CFR, Cum. Supp., Chapter IV; 40 CFR, Cum. Supp., 12, 10 F. R. 4267)

CLARENCE COTTAM,
Acting Director.

[F. R. Doc. 48-5539; Filed, June 21, 1948; 8:58 a. m.]

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

FISHING IN TISHOMINGO NATIONAL WILDLIFE REFUGE, OKLAHOMA

Basis and purposes. On the basis of observations and reports of field representatives of the Fish and Wildlife Service it has been determined that fishing, both sport and commercial, can be permitted during a part of the year on the waters of the refuge without interfering with the protection of waterfowl. In order to assure adequate protection for the waterfowl during the periods of waterfowl concentrations, which vary from year to year, it is desirable and necessary to grant authority to the refuge manager to impose such restrictions on fishing as he deems necessary.

§ 23.903 *Tishomingo National Wildlife Refuge, Oklahoma; commercial fishing.* Commercial fishing in accordance with the State laws of Oklahoma is permitted on all waters within the Tishomingo National Wildlife Refuge in accordance with the following provisions:

Entry on and use of this refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F. R. 5284), as amended, and strict compliance therewith is required. All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations. In addition thereto each person fishing commercially on the refuge must possess a permit issued by the officer in charge prior to exercising the commercial fishing privileges permitted hereunder.

During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

§ 23.903a *Tishomingo National Wildlife Refuge, Oklahoma; noncommercial fishing.* Noncommercial fishing in accordance with the State Laws of Oklahoma is permitted on all waters within the Tishomingo National Wildlife Refuge in accordance with the following provisions:

Entry on and use of this refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F. R. 5284), as amended, and strict compliance therewith is required. All fishermen must comply with all State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing in the waters of the refuge.

During periods of waterfowl concentrations or other wildlife concentrations and to protect wildlife plantings, fishing may be closed on such areas of the refuge as, in the judgment of the officer in charge, such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

(43 Stat. 98, 45 Stat. 1222; 18 U. S. C. 145, 16 U. S. C. 715i; Reorg. Plan No. III of 1939, 3 CFR, Cum. Supp., Chapter IV; 40 CFR, Cum. Supp., 12, 10 F. R. 4267)

CLARENCE COTTAM,
Acting Director.

[F. R. Doc. 48-5540; Filed, June 21, 1948; 8:58 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[Docket No. AO-101-A8]

[7 CFR, Part 941]

HANDLING OF MILK IN CHICAGO, ILL., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TENTATIVE MARKETING AGREEMENT, AS AMENDED, AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practices and procedure, as amended (7 CFR, Supps., 900.1 et seq.; 12 F. R. 1159, 4904), notice is hereby given of a public hearing to be held in Room 1552, Field Building, 135 South LaSalle Street, Chicago, Illinois, beginning at 10:00 a. m. c. d. t., June 30, 1948, for the purpose of receiving evidence with respect to proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, milk mar-

keting area (11 F. R. 9606, 12 F. R. 5834, 7248). These proposed amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the proposed amendments hereinafter set forth.

The following amendments have been proposed by Homer and Chester Williams d. b. a. Wern Farms, Waukesha, Wisconsin:

1. Amend § 941.6 (a) to read:

(a) *Handlers who are also producers.* No provision hereof shall apply to a handler whose sole sources of supply are from his own production and from other handlers, or to a handler operating a plant from which only certified milk produced by such handler is handled in the marketing area; except, that such handlers shall make reports to the market administrator as and when the market administrator may request.

2. As an alternative to the foregoing proposal, except producer-handlers of only their own certified milk from the definition "approved plant" in § 941.1 (e).

3. Make such other changes as may be necessary to effectively relieve producer-handlers of only certified milk produced by such producer-handlers from all of the provisions of the regulation.

Copies of this notice of hearing and of the tentative marketing agreement and order, as amended, now in effect may be procured from the Market Administrator, 135 South LaSalle Street, Chicago, Illinois, or from the Hearing Clerk, Room 1844, United States Department of Agriculture, South Building, Washington 25, D. C., or may be there inspected.

Dated: June 17, 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-5569; Filed, June 21, 1948; 8:54 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR, Ch. V]

[Administrative Order 386]

VEGETABLE PACKING INDUSTRY IN PUERTO RICO

ORDER OF DISAPPROVAL OF RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO. 5 FOR MINIMUM WAGE RATE

Whereas, on June 16, 1947, pursuant to section 5 (e) of the Fair Labor Standards Act of 1938, hereinafter referred to as the act, I, as Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 367, appointed Special Industry Committee No. 5 for Puerto Rico, hereinafter referred to as the Committee, and directed the Committee to proceed to investigate conditions and to recommend to me minimum wage rates for employees in various industries in Puerto Rico, including the vegetable packing industry, in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas, the Committee included three disinterested persons representing the public, a like number representing employers in the vegetable packing industry in Puerto Rico, and a like number representing employees in the industry, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico; and

Whereas, the Committee, after investigating economic and competitive conditions in the vegetable packing industry, filed with me a report containing its recommendation for a 15-cent minimum hourly wage rate in the vegetable packing industry; and

Whereas, pursuant to notice published in the FEDERAL REGISTER on January 8, 1948, and circulated to all interested persons, a public hearing on the Committee's recommendation was held before Hearing Examiner E. West Parkinson in Washington, D. C., on February 9, 1948, at which time all interested persons were given an opportunity to be heard; and

Whereas, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act with special reference to sections 5 and 8 thereof, I have concluded that the recommendation of the Committee for a minimum wage rate in the vegetable packing industry, as defined, is not supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the Committee, would not, if approved, carry out the purposes of sections 5 and 8 of the act; and

Whereas, I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 5 for Puerto Rico for a Minimum Wage Rate in the Vegetable Packing Industry in Puerto Rico," a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Now, therefore, it is ordered, That the recommendation of Special Industry Committee No. 5 for Puerto Rico for the vegetable packing industry in Puerto Rico is hereby disapproved.

Signed at Washington, D. C., this 15th day of June 1948.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 48-5530; Filed, June 21, 1948; 8:47 a. m.]

FEDERAL POWER COMMISSION

[18 CFR, Parts 153, 154, 155, and 250]

[Docket No. R-107]

FORM, COMPOSITION, FILING AND POSTING OF RATE SCHEDULES AND TARIFFS FOR TRANSPORTATION OR SALE OF NATURAL GAS SUBJECT TO JURISDICTION OF COMMISSION

NOTICE OF HEARING ON PROPOSED RULE MAKING

JUNE 15, 1948.

1. In accordance with the provisions of sections 4 and 16 of the Natural Gas Act, as amended (52 Stat. 822, 830; 15 U. S. C. 717c, 717o), and in conformity with § 1.19 of its applicable rules of practice and procedure, the Federal Power Commission caused to be published in the FEDERAL REGISTER, April 16, 1948 (13 F. R. 2040-2050), notice of proposed rule making in the above-entitled matter.

2. Said notice provided that any interested persons might submit to the Federal Power Commission, not later than May 14, 1948, data, views and comments, in writing, concerning the proposed amendments. Subsequently, the Commission extended the time for the filing of comments to and including June 21, 1948 (13 F. R. 2700, 3279). In response to this notice, comments concerning the proposed amendments and several requests for hearings thereon have been filed with the Commission.

3. Although such rules as are proposed in this proceeding are not required by the Natural Gas Act to be made on the record after opportunity for hearing, it appears desirable, in view of the circumstances and the receipt of several requests for hearing, that interested persons be afforded an opportunity to appear and present orally their views concerning the proposed amendments.

4. Now, therefore, under the authority of provisions of sections 4, 15 and 16 of the Natural Gas Act, as amended (52 Stat. 822, 829, 830; 15 U. S. C. 717c, 717n, 717o), notice is hereby given that:

(a) A public hearing will be held at a time and place to be designated subsequently by the Federal Power Commission upon notice to be published in the FEDERAL REGISTER not less than 15 days prior to the date that may be fixed for the commencement of said hearing.

(b) During the course of such hearing all interested persons may appear and offer testimony concerning:

(1) The aforesaid proposed amendments as published April 16, 1948;

(2) Any modifications of the aforesaid proposed amendments that may be later proposed and published prior to the time fixed for the hearing; and

(3) Such related subjects, questions or issues as the Commission may specify by subsequent notice fixing the time and place for hearing in the above-entitled matter.

(c) Any interested person may appear at said hearing to offer evidence, provided that not later than July 15, 1948, such person shall file with the Federal Power Commission, Washington 25, D. C., a notice of intention to appear containing the following information:

(1) The name and address of the person appearing;

(2) If the person is appearing in a representative capacity, the names and addresses of the persons or organizations which he represents; and

(3) A concise statement setting forth the particular provisions of the proposed amendments on which evidence is to be presented, a statement of position as to these specified provisions, and any suggested substitute language. An original and nine copies of such notice of inten-

tion to appear should be mailed to the Commission and will be considered filed upon receipt.

(d) At the hearings to be held herein the order of presentation by interested persons appearing will be, unless otherwise designated by the Commission or the presiding officer at the hearing, in the order of time in which notices of intention to appear are received and docketed by the Office of the Secretary of the Commission.

(e) Upon conclusion of the hearings, and prior to final action on the proposed amendments, the Commission will consider all relevant matter presented.

By direction of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5505; Filed, June 21, 1948; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[1133872-2139666]

FLORIDA

OPENING OF PUBLIC LANDS; FILING OF PLATS OF SUBDIVISIONAL SURVEYS; SMALL TRACT CLASSIFICATION NO. 132; FLORIDA NO. 7

JUNE 9, 1948.

1. The public lands in the following described areas, restored from withdrawal by Public Land Order No. 485[1] of June 9, 1948, will be opened to application and other forms of appropriation on the dates and in the manner provided in paragraph No. 4 of this order:

TALLAHASSEE MERIDIAN

T. 2 S., R. 17 W.,
Secs. 30, 31, and 32.
T. 3 S., R. 18 W.,
Secs. 25 and 36.

The areas described, including both public and non-public lands, aggregate 2,498.42 acres.

2. Notice is given that the plats of subdivisional surveys of sections 30 and 32, T. 2 S., R. 17 W., and sections 25 and 36, T. 3 S., R. 18 W., defining the boundaries of certain lots in these sections for lease or sale as small tracts under the provisions of the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended by the act of July 14, 1945 (59 Stat. 467; 43 U. S. C. 682a), were accepted on October 14, 1947, and will be officially filed in the Bureau of Land Management, Washington 25, D. C., effective at 10:00 a. m. on August 11, 1948.

3. Pursuant to the authority contained in 43 CFR 4.275 (b) (3) (Order No. 2325, May 24, 1947, 12 F. R. 3566), I hereby classify the following described public lands, embracing 840.14 acres, as chiefly valuable for lease or sale under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682a), as home or cabin sites:

TALLAHASSEE MERIDIAN

T. 2 S., R. 17 W.,
Sec. 30, lots 8 to 40, inclusive;
Sec. 32, lots 12 to 52, inclusive.
T. 3 S., R. 18 W.,
Sec. 25, lots 2 to 35, inclusive;
Sec. 36, lots 14 to 259, inclusive.

The lands described will be leased or sold by the subdivisions designated on the plats.

The lands border on or are near Lake Powell, in Bay and Walton Counties, Florida. The land in section 36, in addition to fronting on Lake Powell, also extends southward to the Gulf of Mexico. The lands as a unit are about two miles west of Sunnyside, 18 miles northwest of Panama City, and 70 miles east of Pensacola. U. S. Highway No. 98 crosses section 36 from east to west about one-half mile north of the Gulf Beach. With the exception of the beach frontage in section 36, these subdivisions are of the same general character. The surface is practically flat, the soil sandy, and it supports a light growth of palmetto, black jack oak and sand pine with scattered groves of slash pine. Small portions are inclined to be swampy.

The land in section 36 fronts on the Gulf for a distance of about one mile. The level beach frontage is flanked by a zone of sand dunes about 300 feet in width. The dunes are covered with palmetto and stunted live oak. North of the dunes the lands surface is level with a dense coverage of palmetto, black jack oak and sand pine.

Being situated on or near the Gulf, this land is subject to the mild climatic conditions typical of the north Florida coastal region. Completion of the U. S. Highway during recent years has been an important factor in the development of the general area. Development has been progressively westward from Panama City. Power lines run along the highway and the numerous small settlements offer a variety of facilities.

4. At 10:00 a. m. on August 11, 1948, these lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 11, 1948 to November 9, 1948, inclusive, the public lands classified by this order for lease or sale as home or cabin sites under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, shall be subject to application pursuant to that classification, and the remaining lands shall be subject to application under the homestead and small tract laws, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747), as amended May 31, 1947 (61 Stat. 123, 43 U. S. C. sec. 279), and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law. During such 90-day period, applications may be filed under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by veterans shall be subject to such settlement and preference-right claims. Color of title applications have been filed under the Color-of-Title Act of December 22, 1928 (45 Stat. 1069, 43 U. S. C. 1068, 1068a), for lots 7, 8, 10 and 11, sec. 31, T. 2 S., R. 17 W.

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 23, 1948, to August 11, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 11, 1948 shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 10, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 22, 1948, to November 10, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 10, 1948, shall be treated as simultaneously filed.

5. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Other persons entitled to credit for service shall file evidence of their right to credit in accordance with 43 CFR 181.38 (Circular 1528, December 7, 1944). Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

6. Applications for these lands, which shall be filed in the Bureau of Land Management, Washington 25, D. C., shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Part 166, of Title 43

[1] See Title 43, Chapter I, Appendix, *supra.*

of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257, of that title.

7. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the leases to construct upon the leased land, to the satisfaction of the Director, or other authorized officer, improvements which, under the circumstances, are presentable, substantial, and appropriate for the use for which the lease is issued. Leases will be for the period requested, not exceeding five years, at an annual rental of $5.00 for home and cabin sites, payable for the entire lease period in advance. Leases will contain an option to purchase clause, application for which may be filed at or after the expiration of one year from the date the lease is issued. No buildings may be constructed within 50 feet of any outside boundary of land included in a small tract lease, without the approval of the Director, Bureau of Land Management.

8. Inquiries concerning these lands shall be addressed to the Director, Bureau of Land Management, Washington 25, D. C.

MARION CLAWSON,
Director.

[F. R. Doc. 48-5587; Filed, June 21, 1948; 9:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8727-8729, 9044, 9045]

LEHIGH VALLEY BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Lehigh Valley Broadcasting Company, Allentown, Pennsylvania, Docket No. 8727, File No. BPCT-232; Easton Publishing Company, Easton, Pennsylvania, Docket No. 8728, File No. BPCT-261; Philco Television Broadcasting Corp., Bethlehem, Pennsylvania, Docket No. 8729, File No. BPCT-263; Tri-City Telecasters, Inc., Allentown, Pennsylvania, Docket No. 9044, File No. BPCT-484; Penn-Allen Broadcasting Co., Allentown, Pennsylvania, Docket No. 9045, File No. BPCT-486; for construction permits for commercial television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of June 1948;

The Commission having under consideration the above-entitled applications of the Tri-City Telecasters, Inc. (File No. BPCT-484) and Penn-Allen Broadcasting Company (File No. BPCT-486), each requesting a construction permit for a television station at Allentown, Pennsylvania, to operate on the one channel allocated to the Easton-Allentown-Bethlehem metropolitan district on an unlimited time basis; and

It appearing, that the Commission on January 16, 1948, designated for hearing in a consolidated proceeding the other above applications for construction permits for television stations to operate on the one channel allocated to the Easton-Allentown-Bethlehem metropolitan district;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above applications of the Tri-City Telecasters, Inc. (File No. BPCT-484), and the Penn-Allen Broadcasting Co. (File No. BPCT-486) be, and they are hereby, designated for hearing in a consolidated proceeding with the other above applications, namely, Lehigh Valley Broadcasting Company (File No. BPCT-232), Easton Publishing Company (File No. BPCT-261), and the Philco Television Broadcasting Corporation (File No. BPCT-263) to be heard beginning June 30, 1948, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5545; Filed, June 21, 1948; 851: a. m.]

[Docket Nos. 8813-8817, 8824, 8901, 9003]

BALBOA RADIO CORP. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARINGS ON STATED ISSUES

In re applications of Balboa Radio Corporation, San Diego, California, Docket No. 8813, File No. BPCT-197; McKinnon Publications, Inc., San Diego, California, Docket No. 8814, File No. BPCT-298; Airfan Radio Corporation, Ltd., San Diego, California, Docket No. 8815, File No. BPCT-313; Leon N. Papernow, William F. Eddy, Richard T. Clarke, Russell R. Rogers, Charles A. Muehling, d/b as Television Broadcasting Company, San Diego, California, Docket No. 8816, File No. BPCT-314; San Diego Broadcasting Company, San Diego, California, Docket No. 8817, File No. BPCT-318; Video Broadcasting Company (a copartnership, consisting of John A. Masterson, Harold M. Holden, John W. Nelson, John F. Reddy, Lester C. Bacon, W. F. Laughlin, Charles Wesley Turner, J. B. Moser, I. D. Ditmars, Charles B. Brown and H. E. Moser), San Diego, California, Docket No. 8824, File No. BPCT-341; Thomas S. Lee Enterprises, Inc., d/b as Don Lee Broadcasting System, San Diego, California, Docket No. 8901, File No. BPCT-364; Leland Holzer, San Diego, California, Docket No. 9003, File No. BPCT-480; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of June 1948;

The Commission having under consideration the above-entitled application of Leland Holzer (File No. BPCT-480) requesting a construction permit for a television broadcast station to operate unlimited time on a television channel allocated to the San Diego metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that on February 26, and June 8, 1948, the Commission designated the pending applications for television stations at San Diego, California, for hearing in a consolidated proceeding because said applications exceeded in number the television channels allocated to the San Diego metropolitan district;

It is ordered, That pursuant to section 309 (a) of the Communications Act, as amended, the above-entitled application of Leland Holzer (File No. BPCT-480) be, and it is hereby, designated for hearing in a consolidated proceeding with the other pending applications for stations at San Diego, California, i. e., File Nos. BPCT-197, BPCT-298, BPCT-313, BPCT-314, BPCT-318, BPCT-341, and BPCT-364 at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities

and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5547; Filed, June 21, 1948; 8:51 a. m.]

[Docket Nos. 8894, 8895, 9004]

NEW ENGLAND TELEVISION CO., INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATING HEARING ON STATED ISSUES

In re applications of New England Television Company, Inc., Springfield, Massachusetts, Docket No. 8894, File No. BPCT-278; The Yankee Network, Incorporated, Springfield, Massachusetts, Docket No. 8895, File No. BPCT-333; Hampden-Hampshire Corporation, Holyoke, Massachusetts, Docket No. 9004, File No. BPCT-463; for construction permits for television stations.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of June 1948;

The Commission having under consideration the above application filed by Hampden-Hampshire Corporation for a television station at Holyoke, Massachusetts, to operate unlimited time on the channel allocated to the Lowell-Lawrence-Haverhill metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that on April 8, 1948 there were two applications pending for the one channel allocated to the Lowell-Lawrence-Haverhill, Massachusetts metropolitan district, and on the same day the Commission designated said applications for hearing in a consolidated proceeding;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above application of Hampden-Hampshire Corporation (File No. BPCT-463) be, and it is hereby, designated for hearing in a consolidated proceeding with the other above applications for stations to utilize the channel allocated to the Lowell-Lawrence-Haverhill, Massachusetts metropolitan district, namely, File Nos. BPCT-278 and BPCT-333, at a time and place to be designated by the Commission, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending application for television broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5542; Filed, June 21, 1948; 8:50 a. m.]

[Docket Nos. 9011-9014, 9033]

M. R. SCHACKER ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of M. R. Schacker, Sacramento, California, File No. BPCT-402, Docket No. 9011; Sacramento Broadcasters, Inc., Sacramento, California, File No. BPCT-411, Docket No. 9012; McClatchy Broadcasting Company, Sacramento, California, File No. BPCT-450, Docket No. 9013; Ewing C. Kelly, David R. McKinley, and Vernon Hanson d/b as Central Valleys Broadcasting Company, Sacramento, California, File No. BPCT-461, Docket No. 9014; HARMCO, Inc., Sacramento, California, File No. BPCT-485, Docket No. 9033; for construction permits for television stations.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 16th day of June 1948;

The Commission having under consideration the above application of HARMCO, Inc. (File No. BPCT-485) which requests a construction permit for television station at Sacramento, California to operate unlimited time on a channel allocated to the Sacramento metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that on June 2, 1948, the Commission designated for hearing in a consolidated proceeding the other above entitled applications for stations at Sacramento, California, to operate on channels allocated to the Sacramento metropolitan district because said applications exceeded in number the channels available to said district;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above application of HARMCO, Inc., (File No. BPCT-485) be, and it is hereby designated for hearing in a consolidated proceeding with other applications pending for stations at Sacramento, California, namely, H. R. Schacker, File No. BPCT-402; Sacramento Broadcasters, Inc., File No. BPCT-411; McClatchy Broadcasting Company, File No. BPCT-450, and Ewing C. Kelly, David R. McKinley, and Vernon Hanson d/b Central Valleys Broadcasting Company, File No. BPCT-461 at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5548; Filed, June 21, 1948; 8:51 a. m.]

[Docket Nos. 9034, 9035]

WEST VIRGINIA BROADCASTING CORP. AND TRI-CITY BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of West Virginia Broadcasting Corporation, Wheeling,

West Virginia, Docket No. 9034, File No. BPCT–360; Tri-City Broadcasting Company, Bellaire, Ohio, Docket No. 9035, File No. BPCT–437; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of June 1948;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a television broadcast station to operate on a channel allocated to the Wheeling, West Virginia, metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that but one channel is allocated to the Wheeling metropolitan district, and for that reason the two above applications are mutually exclusive;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48–5543; Filed, June 21, 1948; 8:50 a. m.]

[Docket Nos. 9036, 9037]

HILDRETH AND ROGERS CO. AND LOWELL SUN PUBLISHING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Hildreth and Rogers Company, Lawrence, Massachusetts, Docket No. 9036, File No. BPCT–415; Lowell Sun Publishing Company, Lowell Massachusetts, Docket No. 9037, File No. BPCT–459; for construction permits for television station.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of June 1948;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a television broadcast station to operate unlimited time on a television channel allocated to the Lowell-Lawrence-Haverhill metropolitan district under § 3.606 of the Commission's rules and regulations;

It appearing, that the above-entitled applications exceed in number the television channels allocated to the Lowell-Lawrence-Haverhill metropolitan district;

It is ordered, That pursuant to section 309 (a) of the Communications Act, as amended, the above-entitled applications are hereby designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and if so, the nature and extent thereof: the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48–5546; Filed, June 21, 1948; 8:51 a. m.]

[Docket Nos. 9038–9043]

LANDON TELEVISION BROADCASTING CO. ET AL

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Alf M. Landon d/b as Landon Television Broadcasting Company, Denver, Colorado, Docket No. 9038, File No. BPCT–391; KLZ Broadcasting Company, Denver, Colorado, Docket No. 9039, File No. BPCT–398; The Daniels and Fishers Stores Co., Denver, Colorado, Docket No. 9040, File No. BPCT–423; Aladdin Television, Inc., Denver, Colorado, Docket No. 9041, File No. BPCT–426; Homer W. Snowden d/b as Denver Television Company, Denver, Colorado, Docket No. 9042, File No. BPCT–432; KMYR Broadcasting Company, Denver, Colorado, Docket No. 9043, File No. BPCT–488; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of June 1948;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a television station to operate unlimited time on a television channel allocated to the Denver metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that the above-entitled applications exceed in number the television channels allocated to the Denver metropolitan district;

It is ordered, That pursuant to section 309 (a) of the Communications Act, as amended, the above-entitled applications are hereby designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the serv-

ices proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5544; Filed, Jan. 21, 1948; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6107]

ARIZONA EDISON CO., INC.

NOTICE OF ORDER MODIFYING ORDER DETERMINING EMERGENCY AND GRANTING EXEMPTION FOR USE OF INTERCONNECTION

JUNE 16, 1948.

Notice is hereby given that, on June 15, 1948, the Federal Power Commission issued its order entered June 15, 1948, modifying order determining emergency and granting exemption for use of interconnection in the above-desigated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5523; Filed, June 21, 1948; 8:46 a. m.]

[Docket No. E-6141]

ATTLEBORO STEAM AND ELECTRIC CO. AND NORTON POWER & ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING MERGER OF FACILITIES

JUNE 16, 1948.

Notice is hereby given that, on June 15, 1948, the Federal Power Commission issued its order entered June 15, 1948, authorizing and approving merger of facilities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5524; Filed, June 21, 1948; 8:46 a. m.]

[Docket No. G-429]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JUNE 16, 1948.

Notice is hereby given that, on June 15, 1948, the Federal Power Commission issued its findings and order entered June 15, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5525; Filed, June 21, 1948; 8:46 a. m.]

[Docket No. G-967]

KENTUCKY NATURAL GAS CORP.

NOTICE OF ORDER DISMISSING APPLICATION

JUNE 17, 1948.

Notice is hereby given that, on June 16, 1948, the Federal Power Commission issued its order entered June 15, 1948, dismissing application for a certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5533; Filed, June 21, 1948; 8:48 a. m.]

[Docket No. G-1018]

KANSAS-COLORADO UTILITIES, INC.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JUNE 17, 1948.

Notice is hereby given that, on June 16, 1948, the Federal Power Commission issued its findings and order entered June 15, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5534; Filed, June 21, 1948; 8:48 a. m.]

[Docket No. ID-618]

A. CLINTON SPURR

NOTICE OF AUTHORIZATION

JUNE 17, 1948.

Notice is hereby given that, on June 16, 1948, the Federal Power Commission issued its order entered June 15, 1948, in the above-designated matter, authorizing Applicant to hold a certain position in The Marietta Electric Company, pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5535; Filed, June 21, 1948; 8:48 a. m.]

[Docket No. ID-1022]

FRANK L. CONRAD

NOTICE OF AUTHORIZATION

JUNE 17, 1948.

Notice is hereby given that, on June 16, 1948, the Federal Power Commission issued its order entered June 15, 1948, in the above-designated matter, authorizing Applicant to hold a certain position in the St. Joseph Light & Power Company, pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5536; Filed, June 21, 1948; 8:49 a. m.]

[Docket No. ID-1086]

KILSHAW MCHENRY IRWIN

NOTICE OF AUTHORIZATION

JUNE 17, 1948.

Notice is hereby given that, on June 16, 1948, the Federal Power Commission issued its order entered June 15, 1948, in the above-designated matter, authorizing Applicant to hold a certain position in the Philadelphia Electric Company, pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5537; Filed, June 21, 1948; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 31-552; 60-2, 60-3]

MARINE MIDLAND TRUST CO. OF NEW YORK, ET AL.

NOTICE OF FILING; ORDER REOPENING RECORD; AND ORDER FOR CONSOLIDATION

In the matter of The Marine Midland Trust Company of New York as trustee under pension trust agreement dated December 14, 1937, File No. 31-552, trustees under pension trust agreement dated December 14, 1937, Employees Welfare Association, Incorporated (Delaware), Employees Welfare Association, Inc. (New Jersey), File Nos. 60-2, 60-3.

At a regular session of the Security and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of June A. D. 1948.

On April 14, 1939 the Commission entered its findings and order (4 S. E. C. 792, Holding Company Act Release No. 1498, File Nos. 60-2 and 60-3) pursuant to section 2 (a) (8) (B) of the Public Utility Holding Company Act of 1935 finding and declaring that the management and policies of the companies listed below were subject to a controlling influence, directly or indirectly, of Associated Gas and Electric Company ("AGECO"), then a registered holding company, so as to make it necessary and appropriate in the public interest and for the protection of investors and consumers that such companies be subject to the obligations, duties and liabilities imposed by the Act upon subsidiary companies of holding companies, and that such companies, and each of them, were subsidiary companies of AGECO:

Trustees under Pension Trust Agreement dated December 14, 1937 ("Pension Trust").

Employees Welfare Association, Incorporated (Delaware) ("EWA (Del.)")

Employees Welfare Association, Inc. (New Jersey) ("EWA (N. J.)").

The principal function of such companies is the administration of a life insurance and pension plan for the benefit of employees of such companies in the AGECO system which elect to participate therein.

By the said findings and order the Commission further found and declared pursuant to section 2 (a) (11) (D) of the act that the said companies stood in such a relation to AGECO and to New England Gas and Electric Association ("NEGAS"), a registered holding company, that there was liable to be such an absence of arm's-length bargaining in transactions between the said companies and each of them and AGECO and NEGAS, and each of them, as to make it necessary and appropriate in the public interest and for the protection of investors and consumers that Pension Trust, EWA (Del.) and EWA (N. J.,) be subject to the obligations, duties and liabilities imposed upon affiliates of a company by the act, and that Pension Trust, EWA (Del.) and EWA (N. J.) were affiliates of AGECO and of NEGAS.

Notice is hereby given that The Marine Midland Trust Company of New York ("Marine Midland") has filed an application and an amendment thereto (File No. 31–552) pursuant to subparagraphs (8) and (11) of section 2 (a) of the act requesting an order finding and declaring that Marine Midland as trustee under Pension Trust (1) is not a subsidiary of General Public Utilities Corporation ("GPU") (the present name of the company emerging from reorganization proceedings affecting AGECO) and (2) is not an affiliate of GPU or of NEGAS. Marine Midland requests that the Commission revoke its said order entered April 14, 1939 insofar as said order applies to Marine Midland as trustee under Pension Trust.

Notice is further given that any interested person may, not later than June 29, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on said application, stating the reasons for the request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application, as amended, may be granted. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

All interested persons are referred to said application, which is on file in the office of this Commission, for a complete statement of the foregoing facts and of other and further facts recited therein in support of said applic on, which may be summarized as follows:

Marine Midland is a trust company duly organized under the Banking Laws of the State of New York, with general trust powers. On or about August 26, 1947, an order was entered in the Supreme Court of the State of New York for the County of New York approving the resignations of James V. Gilloon, Jr., LeRoy E. Kimball and Joseph A. Shields, the then trustees under Pension Trust, and appointing Marine Midland as trustee. Marine Midland asserts that over 99% of its outstanding capital stock is held by Marine Midland Corporation, and it believes that no significant amount of the stock of that corporation is held, beneficially or otherwise, by GPU or any of its subsidiaries or affiliates. Marine Midland avers, generally, that it, as trustee or otherwise, is not controlled, directly or indirectly, by GPU or any subsidiary or affiliate thereof, or by NEGAS, or any subsidiary or affiliate thereof, and that its management and policies, as trustee or otherwise, are not subject to a controlling influence by GPU or any of its subsidiaries or affiliates, or by NEGAS or any of its subsidiaries or affiliates.

It is ordered, That the record in the matters of Pension Trust, EWA (Del.) and EWA (N. J.), (File Nos. 60–2 and 60–3), insofar as said proceedings concern or affect Pension Trust, be reopened, and that said proceedings be, and they hereby are, consolidated with the proceedings in the matter of The Marine Midland Trust Company of New York as Trustee under Pension Trust Agreement dated December 14, 1937 (File No. 31–552).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48–5528; Filed, June 21, 1948; 8:47 a. m.]

[File No. 70–1655]

CENTRAL MAINE POWER CO.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of June A. D. 1948.

The Commission having, by order dated December 1, 1947, granted, subject to certain conditibns, the application, as amended filed by Central Maine Power Company ("Central Maine"), a public utility subsidiary of New England Public Service Company, a registered holding company, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder, regarding the issuance and sale, at competitive bidding, of $4,000,000 principal amount of First and General Mortgage Bonds and 160,000 shares of additional common stock; and

Said order providing, among other matters, that jurisdiction be reserved with respect to the results of competitive bidding, pursuant to Rule U-50, and with respect to the payment of all legal fees incurred in connection with the proposed transactions; and

The Commission having, by order dated December 9, 1947, released jurisdiction with respect to the matters to be determined as a result of the competitive bidding pursuant to Rule U-50 insofar as it related to the bonds, and having continued jurisdiction with respect to the sale at competitive bidding of common stock and with respect to the payment of all legal fees; and

The record having been completed with respect to the legal fees incurred in connection with the issuance and sale of bonds and the amounts requested as fees being as follows:

To be paid by Central Maine:	
Ropes, Gray, Best, Coolidge & Rugg	$7,500.00
E. H. Maxcy	2,414.25
N. W. Wilson	1,129.95
J. P. Gorham	136.80
To be paid by Underwriters:	
Choate, Hall & Stewart	4,000.00
Total	15,181.00

The Commission having examined the data submitted in support of these fees and finding that the amounts thereof are not unreasonable and that jurisdiction over such fees should be released;

It is ordered, That the jurisdiction heretofore reserved in the aforesaid orders of December 1 and 9, 1947 with respect to the legal fees incurred in connection with the bonds be, and the same hereby is, released, and that the jurisdiction heretofore reserved with respect to the sale at competitive bidding of common stock and with respect to the legal fees incurred in connection therewith, be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48–5527; Filed, June 21, 1948; 8:47 a. m.]

[File No. 70–1836]

MISSOURI POWER & LIGHT CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of June 1948.

Missouri Power & Light Company ("Missouri Power"), a subsidiary of North American Light & Power Company and The North American Company, both registered holding companies, has filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("Act") and Rules U-20, U-23, U-24, and U-50 (a) (2) promulgated thereunder, regarding the following proposed transactions:

Missouri Power proposes to borrow $1,500,000 from The Chase National Bank of the City of New York ("Chase"), issuing as evidence of such borrowing an unsecured promissory note in the amount of $1,500,000, payable on or before March 1, 1951, bearing interest at the rate of 2¼% per annum, payable quarterly. The proceeds are proposed to be used in the retirement of two presently unsecured outstanding notes held by Chase, aggregating $740,000, which mature September 22, 1948, bearing interest at the rate of 1⅝% interest per annum, and for the partial financing of construction expenditures.

The Public Service Commission of the State of Missouri has issued an order authorizing the proposed transactions.

Said applications having been duly filed and notice of such filing having been

given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of the applicable provisions of the act and rules thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application be granted:

It is ordered, Pursuant to Rule U-23 that said application be, and the same hereby is, granted, subject to the terms and conditions prescribed by Rules U-24, and that the proposed transactions may be consummated forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-5529; Filed, June 21, 1948; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11315]

JOHN FINK

In re: Trust under will of John Fink, deceased. File No. 017-8868.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paula Mueller, Gretchen Friedrich, Johannes Vock and Georg M. Friedrich, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the trust under will of John Fink, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Theobald J. Dengler, as Executor and Trustee, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5549; Filed, June 21, 1948; 8:51 a. m.]

[Vesting Order 11319]

MARIE L. HOLCOMB

In re: Estate of Marie L. Holcomb, deceased. D-28-12261; E. T. sec. 16486.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Margarete Frahm, Anna Baese and Alwine Frahm, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to the Estate of Marie L. Holcomb, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Albert E. Hill, as Administrator, acting under the judicial supervision of the Superior Court of Alameda County, California;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5550; Filed, June 21, 1948; 8:52 a. m.]

[Vesting Order 11320]

TERU KAGEYAMA

In re: Rights of Teru Kageyama under insurance contract. File No. F-39-6133-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Teru Kageyama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 82080, issued by the West Coast Life Insurance Company, San Francisco, California, to Teru Kageyama, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5551; Filed, June 21, 1948; 8:52 a. m.]

[Vesting Order 11323]

BERTHA KEIL ET AL.

In re: Estate of Bertha Keil, a/k/a Helene Keil, Else Hofman and Helene Grug, deceased. File No. D-28-12277. E. T. sec. 16503.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinz Krug, Irmgard Singer, Richard Hofmann, Otto Hofmann, Else Hofmann Poche, Hedwig Baumgärtel and Ida Grehsmann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Bertha Keil, Deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Arthur M. Krug, as administrator, acting under the judicial supervision of the Superior Court of Alameda County, California;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5552; Filed, June 21, 1948; 8:53 a. m.]

[Vesting Order 11332]

MARGARETHA SACHS

In re: Estate of Margaretha Sachs, also known as Margaret Sachs, deceased. File No. 017-23966.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franz Sachs, also known as Franz Gregor Sachs, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Margaretha Sachs, also known as Margaret Sachs, deceased, is property payable or delivered to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Maximillian Sachs, as administrator, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5553; Filed, June 21, 1948; 8:53 a. m.]

[Return Order 129]

EDMUND AND ROBERT ABRAHAMSON

Having considered the claim set forth below and having issued a determination allowing the claim which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
Edmund Abrahamson and Robert Abrahamson, Baldwin, Long Island, N. Y.; A-459.	(13 F. R. 2469) May 7, 1948.	Property described in Vesting Order No. 2430 (8 F. R. 16538, Dec. 8, 1943) relating to United States Letters Patent No. 2,103,606.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5559; Filed, June 21, 1948; 8:53 a. m.]

[Vesting Order 11365]

ELIZABETH DAHMS

In re: Estate of Elizabeth Dahms, deceased. File D-28-12245 E. T. 16472.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franz Boeninghausen, Peter Boeninghausen, Josephine Boeninghausen, Katie Boeninghausen, Sefchen Boeninghausen, Nicholas Dahms, Jr., Joseph Dahms, Annie Dahms and Eva Locherback, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Elizabeth Dahms, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Harley T. Hutchinson, Administrator, acting under the judicial supervision of the Probate Court of Clermont County, State of Ohio,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5554; Filed, June 21, 1948; 8:53 a. m.]

[Return Order 130]

JEAN ALBERT GREGOIRE

Having considered the claim set forth below and having issued a determination allowing the claim which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
Jean Albert Gregoire, Paris, France; 5735.	(13 F. R. 2433) May 6, 1948.	Property described in Vesting Order No. 666 (8 F. R. 5047, Apr. 17, 1943) relating to United States Letters Patent No. 2,192,075.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5560; Filed, June 21, 1948; 8:54 a. m.]

[Vesting Order 11410]

JOHN N. SCHOTT

In re: Trust under will of John N. Schott, deceased. File No. D-28-2503; E. T. sec. 3647.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Brumbach, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the issue of Margaretha Woelflein, also known as Margharetha Woelflein; of Hans Brumbach; of Johann Schott; of Christopher Pedall, also known as Christoph Pedall; of Christian Pedall; of Babara Bauer and of Babetta Fisher, also known as Babetta Fischer, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust established under the will of John N. Schott, deceased, presently being administered by the Rhode Island Hospital Trust Company, trustee, 15 Westminster Street, Providence, Rhode Island,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the issue of Margaretha Woelflin, also known as Margharetha Woelflin; of Hans Brumbach; of Johann Schott; of Christopher Pedall, also known as Christoph Pedall; of Christian Pedall; of Babara Bauer and of Babetta Fisher, also known as Babetta Fischer, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 10, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5557; Filed, June 21, 1948; 8:53 a. m.]

[Return Order 131]

UNITED AIRCRAFT PRODUCTS, INC.

Having considered the claim set forth below and having issued a determination allowing the claim which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
United Aircraft Products, Inc., Dayton, Ohio; A-369.	(13 F. R. 2501) May 8, 1948.	Property described in Vesting Order No. 664 (8 F. R. 4989, Apr. 17, 1943), relating to United States Letters Patent Nos. 1,772,707; Re. 18,721 and 2,048,598.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 15, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5561; Filed, June 21, 1948; 8:54 a. m.]

[Vesting Order 11375]

HENRY AND MINNA FISCHER

In re: Share account owned by Henry and Minna Fischer. F-28-7606-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Henry and Minna Fischer, whose last known address is Brand-Oberndorf, Kreis-Wetclar, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Henry and Minna Fischer, by The American Building Assn., 300 Pa. Ave., S. E., Washington, D. C., arising out of a joint share account, account number 2071, entitled Henry or Minna Fischer, maintained at the aforesaid bank, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5555; Filed, June 21, 1948; 8:53 a. m.]